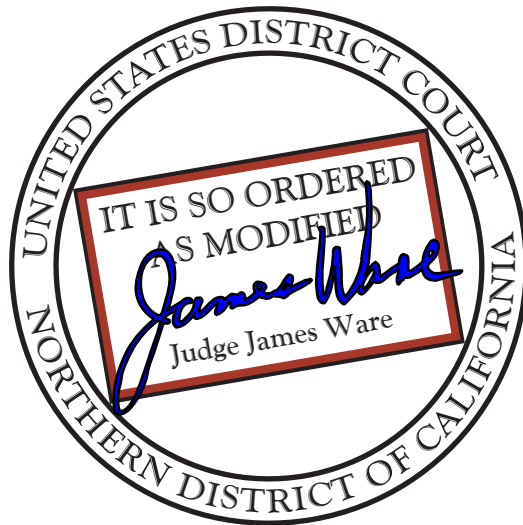


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9 **UNITED STATES DISTRICT COURT**  
10 **NORTHERN DISTRICT OF CALIFORNIA**  
11 **SAN JOSE DIVISION**

13 PIERRE LEBON HOFFMAN,

14 Plaintiff,

15 v.

16 DR. CHARLES LEE,

17 Defendant.

Case No. C 06-02248 JW NJV

**STIPULATION AND [PROPOSED] ORDER TO EXTEND DEFENDANT'S DEADLINE TO FILE REPLY TO OPPOSITION TO DEFENDANT'S MOTION FOR SUMMARY JUDGMENT**

Judge: Honorable James Ware

18  
19 **STIPULATION**

20 Pursuant to Civil Local Rules 6-2 and 7-3, Defendant Charles D. Lee, M.D. and Plaintiff  
21 Pierre Lebon Hoffman, by and through their respective counsel of record, stipulate and agree as  
22 follows:

23 WHEREAS, no trial date is currently set in this case;

24 WHEREAS, on January 27, 2009, Defendant filed a motion for summary judgment which  
25 was originally set to be heard on March 23, 2009;

26 WHEREAS, pursuant to prior stipulations and Court orders to allow for additional  
27 discovery, the hearing on Defendant's motion for summary judgment was ultimately continued to  
28 July 6, 2009;

1 WHEREAS, on June 11, 2009, plaintiff filed an unopposed motion for leave to file an  
2 opposition to the motion for summary judgment in excess of the Court's page limit;

3 WHEREAS, on June 15, 2009, Plaintiff filed his opposition to Defendant's motion for  
4 summary judgment which included a thirty (30) page memorandum in opposition, an eleven (11)  
5 page objection to evidence, and three supporting declarations which included seventy-six (76)  
6 separate exhibits and totaled 526 pages;

7 WHEREAS, Defendant does not object to the length of Plaintiff's opposition;

8 WHEREAS, Defense counsel represents that an additional seven (7) days is needed in  
9 order to have sufficient time to respond to the issues raised in Plaintiff's opposition; and

10 WHEREAS, extending the deadline for filing of Defendant's reply will not alter any set  
11 Court dates in this matter;

12 NOW, THEREFORE, THE PARTIES AGREE AND STIPULATE as follows:

13 Defendant's deadline to file a reply brief to Plaintiff's opposition to Defendant's motion  
14 for summary judgment shall be extended from June 22, 2009 to June 29, 2009.

15 **IT IS SO STIPULATED.**

16  
17 DATED: June 18, 2009

EDMUND G. BROWN JR.  
ATTORNEY GENERAL OF THE STATE OF  
CALIFORNIA

19 PAUL T. HAMMERNESS  
Supervising Deputy Attorney General

20 By: /s/  
21 TROY B. OVERTON  
22 Deputy Attorney General

23 Attorneys for Defendant  
CHARLES D. LEE, JR., M.D.

